

Bailey, Marcia

From: A. SMITH [mailto:Privacy FOIA (b) (6)]
Sent: Wednesday, January 08, 2014 7:58 PM
To: Bailey, Marcia
Subject: RE: Happy new year and some thoughts/questions on Heavens Supply

What you say, below -- do you mean to say that those "hits of PCE above cleanup levels in limited areas" were specifically on my property? ... or at sampling points on the Heaven supply site? Do you recall which? .. pretty significant point (from my contaminated property owners point of view!)
Thanks -

From: bailey.marcia@epa.gov
To: Privacy FOIA (b) (6)
Subject: RE: Happy new year and some thoughts/questions on Heavens Supply
Date: Thu, 9 Jan 2014 00:25:17 +0000

I don't know how Ecology views the "actual current picture," but the confirmation sampling did show hits of PCE above cleanup levels in limited areas, which indicates there is still contamination of concern that I presume Ecology would want addressed before giving an unlimited NFA.

From: A. SMITH [mailto:Privacy FOIA (b) (6)]
Sent: Wednesday, January 08, 2014 10:56 AM
To: Bailey, Marcia
Subject: RE: Happy new year and some thoughts/questions on Heavens Supply

Hi Marcia - Thank you for this.

It gives me the impression that my property would remain under this 'contingency NFA' until the right-of-way work was completed and the monitoring results were consistently coming in clean; then, after all was said and done, the contingency aspect (rescindability) of the NFA would be dropped. So, in other words, my property remains 'suspect' until the entire job involving the work under Greenwood Ave. is completed. Does this sound about right to you? (To me, it raises the question of "what if the numbers do NOT cooperate to the extent of continuing to come in clean .. what if, in fact, they trend upward?")

As mentioned, Dave's about to begin discussing settlement issues based on the reality of the situation and I want him to be very clear on what the actual current picture is.

Thanks -

A~

From: bailey.marcia@epa.gov
To: Privacy [REDACTED]
Subject: FW: Happy new year and some thoughts/questions on Heavens Supply
Date: Wed, 8 Jan 2014 13:31:51 +0000

This exchange should bring you up to speed with my conversations w/ Mike K.

From: Kuntz, Michael G. (ECY) [mailto:mkun461@ECY.WA.GOV]
Sent: Tuesday, January 07, 2014 1:51 PM
To: Bailey, Marcia
Cc: Lynch, Kira
Subject: RE: Happy new year and some thoughts/questions on Heavens Supply

Hi Marcia

Thanks for the response. The conformational sampling plan for the site references the potential for additional indoor air monitoring as part of cleanup of the right-a-way and the plan for the cleanup of the right-a-way identifies indoor air monitoring. (Would you like a copy of the cleanup plan for the right-of way? (e.g. addendum to the site cleanup plan)

From time to time an NFA under the VCP can be granted contingent on continued and successful compliance monitoring explicitly defined within the NFA. Under this scenario the property owner can obtain a NFA but with some risk that the NFA could be rescinded. It is very likely any NFA for the Smith Property would include a compliance monitoring provision. Once the compliance monitoring is successful the risk is gone and the end product would be the " final NFA" referenced in Kira's e-mail.

If I can be of further service please do not hesitate to contact me.

Mike

From: Bailey, Marcia [mailto:bailey.marcia@epa.gov]
Sent: Tuesday, January 07, 2014 1:21 PM
To: Kuntz, Michael G. (ECY)
Subject: FW: Happy new year and some thoughts/questions on Heavens Supply

Hi Mike,

I ran this by Kira Lynch and am sharing her comment with you. I am not sure if the PLP has in fact satisfied the requirements of Ecology at this point, but I agree w/ Kira's observation that additional monitoring would seem to be called for under the circumstances before a NFA is issued.

Thanks again for considering EPA's comments.
Marcia

From: Lynch, Kira
Sent: Tuesday, January 07, 2014 8:43 AM
To: Bailey, Marcia
Subject: RE: Happy new year and some thoughts/questions on Heavens Supply

Seems to me that ongoing monitoring should be required and final NFA should not be given at this point.

Kira Lynch
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From: Bailey, Marcia
Sent: Saturday, January 04, 2014 10:14 AM
To: Lynch, Kira
Subject: FW: Happy new year and some thoughts/questions on Heavens Supply

Hi Kira,

The liable party for Heavens Supply in the Greenwood area are trying to obtain NFA from Ecology for the main site as well as the Smith property and other potentially affected properties.

I thought it very odd that indoor samples were obtained with Summas but tedlar bags used for soil gas. Different methods, different labs, different method reporting limits. I don't see how they can be compared in terms of determining whether the VI pathway remains complete, although I am not sure that is even the point. I think they are just trying to demonstrate to Ecology that the indoor air is okay, from this particular sample.

At any rate, I'm just sending you this email exchange and not all the documentation as I'm not asking you to review anything, but I thought you might have an opinion in general about the above apparent discrepancies (at least in my view). Mike Kuntz thanked me for my input but did not remark on my specific observations.

Thanks for any thoughts,
Marcia

From: Kuntz, Michael G. (ECY) [<mailto:mkun461@ECY.WA.GOV>]
Sent: Friday, January 03, 2014 10:37 AM
To: Bailey, Marcia
Cc: A. SMITH
Subject: RE: Happy new year and some thoughts/questions on Heavens Supply

Marcia

Happy New Year.

Thanks for your input. I have provided the soil sapling results you requested. Please feel free to continue input.

Mike

From: Bailey, Marcia [mailto:bailey.marcia@epa.gov]

Sent: Tuesday, December 31, 2013 4:51 PM

To: Kuntz, Michael G. (ECY); Abedi, Homa

Cc: A. SMITH

Subject: Happy new year and some thoughts/questions on Heavens Supply

Hi Mike,

I hope this finds you well.

Aaron forwarded me a number of files and emails regarding confirmation sampling at Heavens Supply, including his property.

I know that I am not a formal reviewer for this site, but as I have been an interested party throughout, while not as engaged as I would be if this were an assigned site, I have some questions.

One, I don't seem to have received the results of confirmation soil sampling and wonder if you could forward those to me.

For the soil gas and indoor and outdoor air confirmation samples, I noted the following:

The outdoor air result at Heavens Supply for PCE was 5 ug/L. (Eurofins analytical report page 5 of 13). Seems high for outdoor air. Any speculation on why this is so high?

The indoor air at Smith properties was taken by Summa canisters with acceptably low detection limits. Some detections did occur, less than MTCA cleanup levels.

The soil gas samples were taken using Tedlar bags, sent to a different lab, and had high reporting/detection limits.

The soil gas and indoor air samples therefore are not directly comparable. In addition, soil gas/tedlar bag sample VP-1-121113 showed a PCE concentration of 2.72 ug/m³, which would indicate to me that 1)PCE still exists in the subsurface as a contaminant; and 2) the VI pathway to indoor air from the subsurface is likely complete, since PCE was detected indoors (although at levels lower than those of concern for health).

For VP-2-121113, the TCE reporting limit of 8.6 ug/m³ in soil gas exceeded the MTCA screening level of 3.3 ug/m³. In addition, the reporting limits for both PCE and TCE are too high to make a judgment as to whether the VI pathway is complete at the Smith properties.